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November 3, 2023

Via ECF

Hon. P. Kevin Castel
U.S. District Court, Southern District of New York
500 Pearl St.
New York, NY 10007

Re: **Sphere 3D Corp. v. Gryphon Digital Mining, Inc., 1:23-cv-02954-PKC**

Dear Judge Castel:

Pursuant to Local Rule 1.4, Defendant Gryphon Digital Mining, Inc. ("Gryphon") respectfully requests substitution of counsel in the above-captioned action. Gryphon has elected to substitute the law firm of Hogan Lovells US LLP as its attorneys in this action in place of K&L Gates LLP, its present attorneys. All undersigned counsel consent to this substitution. The case is currently at the pleadings stage. There are no conferences scheduled before the Court.

By its signature below, K&L Gates LLP acknowledges that it is not asserting any retaining or charging lien in respect of its representation of Gryphon in this action. This application will be served by ECF Notice on all other parties.

Pursuant to Local Rule 1.4, we respectfully request entry of the enclosed stipulated proposed order substituting counsel.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "D. Tracey III".

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*Incoming Attorneys for Defendant
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A handwritten signature in blue ink, appearing to read "B. Koosed".

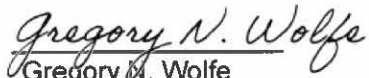
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Hon. P. Kevin Castel

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*Attorneys for Plaintiff Sphere 3D Corp.
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Patricia Trompeter*

Enclosure

cc: All Counsel of Record (via ECF)